

SHARTSIS FRIESE LLP
ONE MARITIME PLAZA
EIGHTEENTH FLOOR
SAN FRANCISCO, CA 94111

SHARTSIS FRIESE LLP
JAMES P. MARTIN (Bar #170044)
jmartin@sflaw.com
JOSEPH V. MAUCH (Bar #253693)
jmauch@sflaw.com
One Maritime Plaza, Eighteenth Floor
San Francisco, CA 94111
Telephone: (415) 421-6500
Facsimile: (415) 421-2922

Attorneys for Plaintiff
CLAMP-SWING PRICING COMPANY

SENNIGER POWERS LLP
Marc W. Vander Tuig *pro hac vice*
mvandertuig@senniger.com
Robert M. Evans, Jr. *pro hac vice*
revans@senniger.com
Benjamin J. Hodges *pro hac vice*
bhodges@senniger.com
100 North Broadway, 17th Floor
St. Louis, MO 63102
(314) 345-7019
(314) 345-7600 (fax)

SCHIFF HARDIN LLP
Duane H. Mathiowetz CBN 111831
Dmathiowetz@schiffhardin.com
One Market, Spear Street Tower
Thirty-Second Floor
San Francisco, CA 94105
Telephone: (415) 901-8645
Facsimile: (415) 901-8701

Attorneys for Defendant
SUPER MARKET MERCHANDISING
AND SUPPLY, INC.

SUPER MARKET
MERCHANDISING AND SUPPLY
INC.
A. James Wang, *pro hac vice*
jwang@sm9com
5200 Virginia Ave.
St. Louis, MO 63111
Telephone: (314) 432-5656

Allman & Nielson, P.C.
Steve Nielsen
Steve@NielsenPatents.com
100 Larkspur Landing Circle
Suite 212
Larkspur, CA 94939-1743
(415) 461-2700
(415) 461-2726 (fax)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

CLAMP-SWING PRICING COMPANY,

Plaintiff,

v.

SUPER MARKET MERCHANDISING
AND SUPPLY, INC.,

Defendant.

Case No. CV-12-02445 WHO

**SECOND STIPULATION AND ORDER
REGARDING DISCOVERY DISPUTE
STATEMENTS**

Judge: Hon. William H. Orrick
Trial Date: May 27, 2014
Complaint Filed: May 14, 2012
Amended Complaint Filed: September 26, 2012

Plaintiff Clamp-Swing Pricing Company (“Clamp-Swing”) and Defendant Super Market Merchandising and Supply, Inc. (“SMM”) (collectively, the “Parties”) through their respective counsel, hereby stipulate and ask the Court to Order as follows:

WHEREAS the Parties have agreed to serve certain amended discovery responses and produce certain additional responsive documents beyond the fact discovery cut-off date of October 11, 2013;

WHEREAS Clamp-Swing is still in the process of revising discovery documents and providing additional deposition testimony, and the Parties are engaging in meet-and-confer communications regarding such discovery;

WHEREAS the Parties previously agreed to, and this Court granted, an extension to the discovery dispute statement deadline to October 25, 2013;

WHEREAS the Parties seek a modification to this deadline to allow the Parties additional time to submit a discovery dispute statement;

WHEREAS no change to any other date, including the trial date is being proposed;

NOW, THEREFORE, the Parties agree that the schedule governing the last day for the Parties to submit a discovery dispute statement will be adjusted as follows:

Event	Current Deadline	Proposed Modification
Deadline to File Discovery Dispute Statement	October 25, 2013	November 8, 2013

DATED: October 25, 2013

SHARTSIS FRIESE LLP

By: /s/ Joseph V. Mauch

JOSEPH V. MAUCH

Attorneys for Plaintiff
CLAMP-SWING PRICING COMPANY

DATED: October 25, 2013

SENNIGER POWERS LLP

By: /s/ Benjamin J. Hodges

BENJAMIN J. HODGES

ALLMAN & NIELSON, P.C.

By: /s/ Steve Nielson

STEVE NIELSON

Attorneys for Defendant
SUPER MARKET MERCHANDISING AND
SUPPLY, INC.

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ATTESTATION

I hereby attest that, pursuant to Local Rule 5-1(i)(3), concurrence in the filing of the document has been obtained from the other Signatory (ies) for the conformed signature(s) (“/s/”) within this electronically-filed document.

DATED: October 25, 2013

SHARTSIS FRIESE LLP

By: /s/ Joseph V. Mauch

JOSEPH V. MAUCH

Attorneys for Plaintiff

CLAMP-SWING PRICING COMPANY

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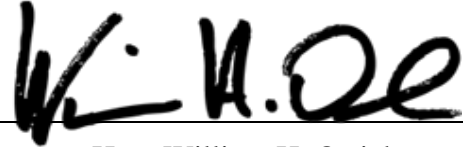
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ORDER

The above **STIPULATION AND ORDER REGARDING MOTION TO COMPEL DEADLINE** is approved and all parties shall comply with its provisions.

IT IS SO ORDERED.

Dated: October 25, 2013



Hon. William H. Orrick
U.S. District Court Judge

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